

GOVERNMENT OF ANDHRA PRADESH

A B S T R A C T

Public Services – CT Department – Inclusion of the name of Sri S.Rambabu, CTO in the panel of CTOs for the year 2004-05 at Sl.No.109 against roster point 60 above the name of Sri K.V.Chinni Krishna in relaxation of rule 33(a) of A.P.State and Subordinate Service Rules - Orders – Issued.

REVENUE (CT.I) DEPARTMENT

G.O.Rt.No. 1491

Dated.16.10.2012.
Read the following

1. Hon'ble APAT interim orders dated.24.02.2011 in OA No.801/2011 filed by Sri S.Rambabu, CTO.
2. Govt. Memo No.9744/CT.I(1)2011-1, Dated.17.03.2011.
3. CCTs Ref No.D2/1191/2011, dated.19.10.2011.
4. CCTs Ref No.D2/1191/2011, dated.09.02.2012.
5. Govt. Memo No.7696/CT.I(1)/2012, dated.06.03.2012.
6. CCTs Ref No.D2/1191/2011, dated.15.03.2012.

ORDER

In the reference 1st read above, the Hon'ble APAT in its interim orders dated.24.02.2011 in OA No.801/2011 filed by Sri S.Rambabu, CTO has directed the respondents as follows:-

“The charges framed against the applicant dropped through GO Rt.No.669, dated.03.05.2010 exonerating the applicant from the charges. As per GO Ms.No.104 dated.16.02.1990, in the event of the officer concerned is completely exonerated, he should be promoted/appointed to the post restoring him his rightful place with retrospective effect viz., with effect from the date on which his immediate junior was promoted or from the date on which he would have been promoted had the enquiry/investigation has not been initiated against him, as the case may be. In view of the exoneration of the applicant by the Government, the respondents should have considered the case of the applicant for notational promotion. But, according to the applicant, instead of promoting the applicant, the respondents have promoted juniors to the applicants. Therefore, the applicant made a representation dated. 07.07.2010 requesting for notional promotion on par with his juniors, but till today no orders are passed on the representation of the applicant.

In these circumstances, the 1st and 2nd respondents (i.e. Government and Commissioner of Commercial Taxes) are directed to dispose of the representation of the applicant and pass appropriate orders keeping in view above circumstances within a period of six weeks from the date of receipt of a copy of this order.”

2. In pursuance of the above interim orders of the Hon'ble APAT Govt., after examining the case, has requested the Commissioner of Commercial Taxes to take further necessary action for assigning notional seniority to Sri S.Rambabu in the cadre of Commercial Tax Officer on par with his junior duly following the procedure i.e. by issuing Show Cause Notices to the persons likely to be affected, calling for objections, if any, and after disposing of the

same, send proposals to Government, if necessary, for relaxation of Rule 33(a) of APSSS Rules, 1996 vide Govt. Memo 2nd read above.

3. In the reference 3rd and 4th read above, the Commissioner of Commercial Taxes after following due procedure and also keeping in view the seniority of the CTOs finalized from 1975-76 to 1998-99, vide GO Ms No.1661, Rev(CT.I) Dept., dated.25.08.2011 and also the seniority list of CTOs from the panel year 1999-200 to 2007-08 has recommended for inclusion of the name of Sri S.Rambabu, CTO in the panel of Commercial Tax Officer for the panel year 2004-05, above the name of Sri K.V.Chinni Krishna at Sl.No.109 against roster point 60 by assigning notional seniority w.e.f.03.02.2005 and requested the Govt. to issue necessary orders in the matter.

4. Government, after careful examination of the matter, hereby permit the CCT to include the name of Sri S.Rambabu, CTO in the panel of Commercial Tax Officers for the panel year 2004-05, above the name Sri K.V.Chinni Krishna at Sl.No.109 against roster point 60 w.e.f.03.02.2005 in relaxation of rule 33(a) of APS & SS Rules, 1996.

5. The Commissioner of Commercial Taxes is requested to take further action accordingly.

(BY ORDER AND IN THE NAME OF GOVERNOR OF ANDHRA PRADESH)

ASUTOSH MISHRA
PRINCIPAL SECRETARY TO GOVERNMENT

To
The concerned through the Commissioner of Commercial Taxes, Hyderabad
The Commissioner of Commercial Taxes, Hyderabad.
SF/SC

// FORWARDED BY ORDER //

SECTION OFFICER